

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA *ex rel.*,
STEPHEN A. KRAHLING and JOAN A.
WLOCHOWSKI,

Plaintiffs,

v.

MERCK & CO., INC.,

Defendant.

Civil Action No. 10-4374 (CDJ)

IN RE: MERCK MUMPS VACCINE
ANTITRUST LITIGATION

Master File No. 12-03555 (CDJ)

THIS DOCUMENT RELATES TO:
ALL ACTIONS

ORDER

AND NOW, this 19th day of March, 2019, **IT IS HEREBY ORDERED** as follows:

1. Upon consideration of the Motion of Defendant Merck Sharp & Dohme Corp., formerly known as Merck & Co., Inc., (“Merck”) requesting permission to file under seal Merck’s Opposition to Plaintiffs’ and Relators’ Motion to De-Designate and Unseal Portions of the Deposition of Dr. David Kessler (ECF No. 220),¹ that motion is

GRANTED;

2. Upon consideration of Plaintiffs’ and Relators’ Motion requesting permission to file under seal their Reply Memorandum in Support of their Motion to De-Designate and Unseal (ECF No. 227), that motion is **GRANTED;**

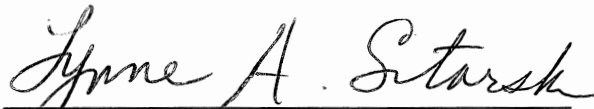
¹ On December 6, 2018, Plaintiffs and Relators filed their Motion to De-Designate and Unseal Portions of the Deposition of Dr. David Kessler. (ECF No. 205). By Order dated January 8, 2019, the Honorable C. Darnell Jones II referred the matter to me for disposition pursuant to 28 U.S.C. § 636(b)(1)(A).

3. Upon consideration of Plaintiffs' and Relators' Letter Motion requesting permission to file under seal their Letter in further Support of their Motion to Unseal (ECF No. 237), that motion is **GRANTED**;

4. Upon consideration of Defendant Merck's Letter Motion requesting permission to file under seal its Letter in Response to Plaintiffs' and Relators' Third Letter in Further Support of their Motion to Unseal (ECF No. 241), that motion is **GRANTED**.

IT IS HEREBY FURTHER ORDERED that the parties in this matter shall refrain from submitting further letters to the Court in support of their respective position on the pending Motion to De-Designate and Unseal (ECF No. 205) without first seeking permission from the Court.²

BY THE COURT:



LYNNE A. SITARSKI
UNITED STATES MAGISTRATE JUDGE

² The matter has been fully briefed by the parties. (Pl.'s Br. in Supp., ECF No. 205-2; Def.'s Resp. in Oppos., ECF No. 221; Pl.'s Reply in Supp., ECF No. 228). Nonetheless, the parties have submitted numerous letters to the Court providing supplemental argument and various authority advocating for their respective positions. (ECF Nos. 234, 235, 236, 238, 239). Such letter practice is improper. Should counsel wish to submit further supplements after a properly submitted Brief, Response, and Reply, counsel shall first seek permission to do so. My policies and procedures provide that I "will not normally permit surreply briefs, and counsel who wish to file a surreply must first seek permission of the Court before such a brief will be accepted." JUDGE SITARSKI'S GENERAL POLICIES & PROCEDURES, *available at* <https://www.paed.uscourts.gov/documents/procedures/sitpol.pdf>.